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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/842,942   | 04/26/2001  | Jeffery J. Kacines   | TI-29248            | 1191             |
| 23494  | 7590        | 01/26/2005           | EXAMINER            |                  |
| TEXAS INSTRUMENTS INCORPORATED<br>P O BOX 655474, M/S 3999<br>DALLAS, TX 75265 |             |                      | PHILLIPS, HASSAN A  |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2151                |                  |

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/842,942

**Applicant(s)**

KACINES, JEFFERY J.

**Examiner**

Hassan Phillips

**Art Unit**

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to amendments received on November 2, 2004.

### ***Specification***

2. After consideration of the amendments made to the specification to provide new application papers with lines doubled spaced and to correct minor errors, the Examiner has withdrawn all objections to the specification.

### ***Claim Objections***

3. After consideration of the amendments made to claim 13 to correct minor spelling errors the Examiner has withdrawn the claim objection to claim 13.

4. Amended claims 1 and 12 are objected to because of the following informalities: In line 4 of the claims the word "an" between "having" and "a" should be removed. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. In considering the amendments made to claims 1 and 12 with regards to which unit is doing the respective steps, the Examiner has withdrawn the rejection of claims 1 and 12 under 35 USC 112.

6. With regards to the amendments made to claim 7 to correct the lack of antecedent basis, the Examiner has withdrawn the rejection of claim 7, under 35 USC 112.

### ***Response to Arguments***

7. Applicant's arguments, see pages 9-14, filed November 2, 2004, with respect to claims 1-17, have been fully considered and are persuasive. The rejection of claims 1-17 has therefore been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Aakre et al. (hereinafter Aakre) U.S. Patent 4,730,251, and the Applicants Admitted Prior Art (AAPA).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 4-16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Aakre, in view of the AAPA.

10. In considering claims 1, 12, 13, Aakre teaches a method, and controller for logging in a plurality of devices, each device having an identification number unique to that device stored therein, the identification number having a number of bits, each having a bit position, and the network having a controller, comprising the steps of: delivering a control code from the controller to each device indicating that a login process is to begin, broadcasting a first request from the controller to all devices, the first request representing a request to each device to acknowledge whether the first bit position of its identification number has a zero, (col. 1, lines 44-50); sending acknowledgements to the controller by the devices and receiving the acknowledgements from the devices in accordance with the following sub-steps: if an acknowledgement to the first request is received by the controller, repeating the broadcasting step for the next bit position of the identification number, but if no acknowledgement to the first request is received by the controller, broadcasting a second request from the controller to all devices, the second request representing a request to each device to acknowledge whether the first bit of its identification number is a one, and if an acknowledgement to the second request is received, repeating the first broadcasting step for the next bit position of the identification number, and if no acknowledgement to the second request is received, ending the login process, (col. 1, lines 50-63); repeating the sending, and receiving sub-steps for each bit position of the identification number, and traversing a binary tree by the controller in response to the acknowledgements, thereby determining the identification number of the device, (col. 1, lines 63-65).

Although the disclosed method of Aakre shows substantial features of the claimed invention, it fails to expressly disclose: the devices being on a network.

Nevertheless, as indicated in the AAPA (see applicants disclosure page 2), addressing devices on a network was well known in the art at the time of the present invention.

Thus, given the teachings of the AAPA, it would have been obvious to a person of ordinary skill in the art at the time of the present invention to modify the teachings of Aakre with the AAPA. This would have provided an efficient means for automatically identifying devices on a network, Aakre, col. 1, lines 5-8.

11. In considering claim 4, Aakre provides a means for the network to be a network of computers. See Fig. 1.

12. In considering claim 5, Aakre teaches the method being performed by a hardware logic device. See col. 2, lines 24-38.

13. In considering claim 6, Aakre teaches the method being performed by a processor-based device. See col. 2, lines 24-38.

14. In considering claim 7, Aakre teaches a first request to acknowledge a one rather than a zero, and a second request to acknowledge a zero rather than a one. See col. 1, lines 44-65.

15. In considering claim 8, it is implicit in the teachings of Aakre that the acknowledgement is a signal above a noise threshold. See col. 1, lines 44-65.

16. In considering claim 9, Aakre teaches maintaining a tracking register associated with each device to track acknowledgements. See col. 1, lines 44-65.

17. In considering claim 10, Aakre teaches each device logging in ceasing to send acknowledgements for subsequent bit positions after it cannot acknowledge with respect to any bit position. See col. 1, lines 44-65.

18. In considering claim 11, the teachings of Aakre provide a means for ending the login process if two successive requests for values of the same bit position are not acknowledged. See col. 1, lines 44-65.

19. In considering claim 14, Aakre provides a means for the processing circuitry to be a programmable logic device. See col. 2, lines 24-38.

20. In considering claim 15, Aakre teaches the processing circuitry being a processor and program memory. See col. 2, lines 24-38.

21. In considering claim 16, the combined teachings of Aakre and the AAPA provide a means for the network to be a local area network of computers, and the controller to be a part of a network server. See col. 2, lines 38-52.

22. Claims 2, 3, 17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Aakre and the AAPA in view of Siep et al. (hereinafter Siep), U.S. patent 6,452,480.

23. In considering claim 2, although the disclosed method of Aakre in view of the AAPA shows substantial features of the claimed invention, it fails to expressly disclose: a wireless network.

Nevertheless, wireless networks were well known in the art at the time of the invention. Siep exemplifies this in a method that teaches an active wireless network for calculators that comprises: broadcasting information over a wireless network, (col. 1, lines 39-48).

Thus, given the teachings of Siep it would have been apparent to one of ordinary skill in the art to modify the teachings of Aakre in view of the AAPA to show the network being a wireless network, and performing the broadcasting and receiving with wireless signals. This would have broadened the teachings of Aakre and the AAPA by allowing wireless communication amongst the devices taught by Aakre. This also would have made the teachings of Aakre more robust, and therefore attractive to a larger audience, Siep, col. 1, lines 49-56.



24. In considering claims 3 and 17, Siep teaches the network being a network of calculators. See col. 1, lines 6-8. One of ordinary skill in the art would combine the teachings of Aakre and the AAPA with Siep, for the reasons given in consideration of claim 2.

### ***Conclusion***

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shaffer et al. U.S. Patent 6,249,814, discloses a method and apparatus for identifying devices on a network.

Sathaye et al. U.S. Patent 5,517,617, discloses a method for automatically assigning address in a computer communications network.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (571) 272-3940. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HP/  
1/21/05

  
**ZARNI MAUNG**  
SUPERVISORY PATENT EXAMINER